

CAMERON STOUT, CASB NO. 117373
 GARRETT R. WYNNE, CASB NO. 220665
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 WEDBUSH MORGAN SECURITIES INC.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

ACORN CAPITAL GROUP LLC,)	Case No. C 06 1674 JSW
)	
Plaintiff,)	THIRD STIPULATION AND
)	[PROPOSED] ORDER FOR
vs.)	CONTINUING CERTAIN PRETRIAL
)	DATES
WEDBUSH MORGAN SECURITIES and)	
MAX SAFDIE,)	
)	
Defendants.)	
)	
)	
AND RELATED CROSS-COMPLAINTS)	
)	

I. INTRODUCTION

On July 30, 2007 the parties submitted their Second Stipulation and [Proposed] Order for Continuing Certain Pretrial Dates. On July 31, 2007, the Court issued an Order setting forth the following dates:

Trial Date:	February 25, 2008 at 8:30 a.m.
Pretrial Conference:	January 28, 2008 at 2:00 p.m.

1 Last Day to Hear Dispositive Motions: **November 30, 2007 at 9:00**
2 **a.m.**

3 Last Day for Expert Discovery: **October 8, 2007**

4 Close of Non-Expert Discovery: **August 31, 2007**

5
6 Discovery in this matter is nearly complete. The parties have: (1) deposed
7 most of the Acorn-affiliated percipient witnesses; (2) conducted the first portion of Max
8 and Edward Safdie's depositions; and (3) cooperated regarding the scheduling of the
9 deposition of the remaining percipient witnesses including Wedbush's 30 (b)(6) witness
10 and Jeffrey Brandon (a former Wedbush manager). The parties have also propounded
11 and responded to written discovery requests. Acorn and Wedbush are working
12 productively with one another to ensure that discovery is concluded as soon as possible.

13 Because the parties are engaged in settlement discussions, and because the
14 previously-scheduled August 8, 2007 Settlement Conference before Magistrate Judge
15 Laporte was recently re-scheduled to October 26, 2007, they respectfully request that the
16 Court extend the expert and non-expert discovery deadlines as well as the dispositive
17 motion deadline so that they will not need to incur any additional significant attorney's
18 fees while settlement is explored.

19 Accordingly, the parties have entered into the following stipulation, and
20 respectfully request that the Court execute this Proposed Order based on that
21 stipulation.

22 23 **II. STIPULATION**

24 The parties, by and through their attorneys of record herein, submit their
25 Stipulation and Proposed Order Continuing Certain Pretrial Dates as follows:

- 26 **1. The deadline to complete non-expert discovery may be**
27 **continued from 8/31/07 to 11/09/07;**
- 28 **2. The deadline to complete expert discovery may be continued**

1 from 10/8/07 to 12/17/07 (with expert disclosures due by
2 12/3/07); and

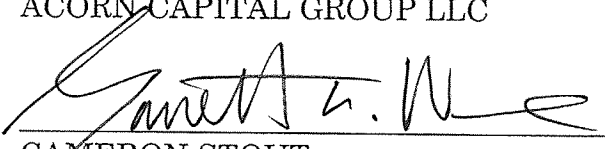
3
4 3. The deadline to hear dispositive motions may be continued
5 from 11/30/07 at 9:00 a.m. to 1/31/08 at 9:00 a.m.
6

7 IT IS SO STIPULATED.
8

9 DATED: August __, 2007

ROBERT S. NIEMANN
AARON BELZER
SEYFARTH SHAW LLP
Attorneys for Plaintiff
ACORN CAPITAL GROUP LLC

10
11
12
13 DATED: August 27, 2007


CAMERON STOUT
GARRETT R. WYNNE
KEESAL, YOUNG & LOGAN
Attorneys for Defendant and Cross-
Complainant
WEDBUSH MORGAN SECURITIES INC.

14
15
16
17
18
19 DATED: August __, 2007


MAX SAFDIE, *IN PRO PER*

1 from 10/8/07 to 12/17/07 (with expert disclosures due by
2 12/3/07); and
3

4 3. The deadline to hear dispositive motions may be continued
5 from 11/30/07 at 9:00 a.m. to 1/31/08 at 9:00 a.m.
6

7 IT IS SO STIPULATED.
8

9 DATED: August 27, 2007


ROBERT S. NIEMANN
AARON BELZER
SEYFARTH SHAW LLP
Attorneys for Plaintiff
ACORN CAPITAL GROUP LLC

13 DATED: August __, 2007

CAMERON STOUT
GARRETT R. WYNNE
KEESAL, YOUNG & LOGAN
Attorneys for Defendant and Cross-
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WEDBUSH MORGAN SECURITIES INC.

19 DATED: August __, 2007

MAX SAFDIE, *IN PRO PER*

1 from 10/8/07 to 12/17/07 (with expert disclosures due by
2 12/3/07); and
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4 3. The deadline to hear dispositive motions may be continued
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7 IT IS SO STIPULATED.
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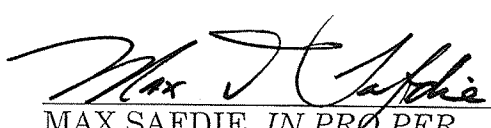
9 DATED: August __, 2007

ROBERT S. NIEMANN
AARON BELZER
SEYFARTH SHAW LLP
Attorneys for Plaintiff
ACORN CAPITAL GROUP LLC

13 DATED: August __, 2007

CAMERON STOUT
GARRETT R. WYNNE
KEESAL, YOUNG & LOGAN
Attorneys for Defendant and Cross-
Complainant
WEDBUSH MORGAN SECURITIES INC.

19 DATED: August 28, 2007


MAX SAFDIE, IN PRO PER

ORDER

Based on the stipulation of the parties and good cause appearing, the Court hereby vacates certain of the previously-set pretrial dates and amends the Court's Scheduling Order as follows:

1. The deadline to complete non-expert discovery is continued from 8/31/07 to 11/09/07;
2. The deadline to complete expert discovery is continued from 10/8/07 to 12/17/07 (with expert disclosures due by 12/03/07); and
3. The deadline to hear dispositive motions is continued from 11/30/07 at 9:00 a.m. to ^{2/1/08} 1/31/08 at 9:00 a.m.

The Court FURTHER ORDERS that the pretrial conference and trial are CONTINUED from January 28, 2008 and February 25, 2008 to April 7, 2008 at 2:00 p.m. and May 12, 2008 at 8:30 a.m., respectively.

Dated: August 29, 2007


HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE